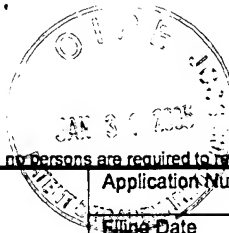


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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/731,465
Filing Date	December 9, 2003
First Named Inventor	Jeffrey A. Whitsett
Art Unit	1632
Examiner Name	Unknown
Attorney Docket Number	10872/0507287

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Frost Brown Todd LLC		
Signature			
Printed name	Stephen R. Albainy-Jenei, Esq.		
Date	January 28, 2005	Reg. No.	41,487

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Whitsett, et al. : Paper No: Unknown
Serial No. 10/731,465 : Group Art Unit: 1632
Filed: December 9, 2004 : Examiner: Unknown
For: METHODS OF DIAGNOSIS AND TREATMENT OF INTERSTITIAL LUNG
DISEASE

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, Applicant herewith submits certain information, which the Patent & Trademark Office may wish to consider in examining the above-identified application. The information is listed below, and is also listed on the attached form PTO-1449.

<u>REFERENCES</u>	<u>INVENTOR</u>	<u>ISSUE DATE</u>
US Patent No. 6,414,219	Denhardt, et al.	July 2, 2002
US Patent No. 6,245,963	Li, et al.	June 12, 2001
US Patent No. 4,683,195	Mullis, et al.	July 28, 1987

OTHER REFERENCES

1. Weaver, T.E., and Conkright, J.J. 2001. Functions of surfactant proteins B and C. Ann. Rev. Physiol. 63:555-578.
2. Morrow, M.R., Taneva, S., Simatos, G.A., Allwood, L.A., and Keough, K.M. 1993. 2H NMR studies of the effect of pulmonary surfactant SP-C on the 1,2-dipalmitoyl-snglycero- 3-phosphocholine headgroup: a model for transbilayer peptides in surfactant and biological membranes. *Biochemistry* 32:11338-11344.

3. Horowitz, A.D., Elledge, B., Whitsett, J.A., and Baatz, J.E. 1992. Effects of lung surfactant proteolipid SP-C on the organization of model membrane lipids: a fluorescence study. *Biochim. Biophys. Acta* 1107:44-54.
4. Johansson, J., Szyperski, T., and Wuthrich, K. 1995. Pulmonary surfactant-associated polypeptide SP-C in lipid micelles: CD studies of intact SP-C and NMR secondary structure determination of depalmitoyl-SP-C(1-17). *FEBS Lett.* 362:261-265.
5. Nogee, L.M., Dunbar, A.E., Wert, S.E., Askin, F., Hamvas, A., and Whitsett, J.A. 2001. A mutation in the surfactant protein C gene associated with familial interstitial lung disease. *N. Engl. J. Med.* 344:573-579.
6. Thomas, A.Q., Lane, K., Phillips, J. III, Prince, M., Markin, C., Speer, M., Schwartz, D.A., Gaddipati, R., Marney, A., Johnson, J., et al. 2002. Heterozygosity for a surfactant protein C gene mutation associated with usual interstitial pneumonitis and cellular nonspecific interstitial pneumonitis in one kindred. *Am. J. Respir. Crit. Care Med.* 165:1322-1328.
7. Glasser, S.W., Burhans, M.S., Korfhagen, T.R., Na, C-L., Sly, P.D., Ross, G.F., Ikegami, M., and Whitsett, J.A. 2001. Altered stability of pulmonary surfactant in SP-C-deficient mice. *Proc. Natl. Acad. Sci. USA* 98:6366-6371.
8. Ikegami, M., Weaver, T.E., Conkright, J.J., Sly, P.D., Ross, G.F., Whitsett, J.A., and Glasser, S.W. 2002. Deficiency of SP-B reveals protective role of SP-C during oxygen injury. *J. Appl. Physiol.* 92:519-526.
9. Wert, S.E., Dey, C.R., Blair, P.A., Kimura, S., and Whitsett, J.A. 2002. Increased expression of thyroid transcription factor-1 (TTF-1) in respiratory epithelial cells inhibits alveolarization and causes pulmonary inflammation. *Dev. Biol.* 242:75-87.
10. Conkright, J.J., Na, C.-L., and Weaver, T.E. 2002. Overexpression of SP-C mature SP-C peptide causes neonatal lethality in transgenic mice. *Am. J. Respir. Cell Mol. Biol.* 26:85-90.
11. Amin, R.S., Wert, S.E., Baughman, R.P., Tomashefski, J.F., Nogee, L.M., Brody, A.S., Hull, W.M., and Whitsett, J.A. 2001. Surfactant protein deficiency in familial interstitial lung disease. *J. Pediatr.* 139:85-92.
12. Nogee, L.M., Dunbar, A.E., Wert, S., Askin, F., Hamvas, A., and Whitsett, J.A. 2002. Mutations in the surfactant protein C gene associated with interstitial lung disease. *Chest* 121:20S-21S.

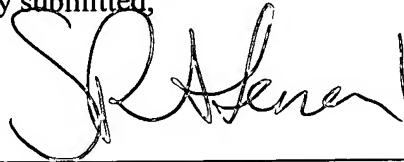
Pursuant to the waiver published in the Pre-OG Notice, dated July 11, 2003, no copies are provided herewith of U.S. patents cited. No representation is made or intended that a prior art search has been made or that no better art than the listed is available. It is respectfully requested

Serial No. 10/731,465

that the information be considered by the Examiner and made of record in the present application.

Applicant encloses \$180 in filing fees. The Commissioner for Patents is authorized to charge any deficiency or credit any overpayment of fees to the Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,



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I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 28th day of January, 2005.



Linda Spore

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application No.	10/731,465
Filing Date	December 9, 2004
First Named Inventor	Jeffrey A. Whitsett
Art Unit	1632
Examiner Name	Unknown
Attorney Docket No.	10872/0507287

Sheet 1 of 4

U.S. PATENT DOCUMENTS

Examiner initials	Cite No.	DOCUMENT NUMBER		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind code ² (if known)				
		US-	6,414,219	07-02-2002	Denhardt, et al.	
		US-	6,245,963	06-12-2001	Liu, et al.	
		US-	4,683,195	07-28-1987	Mullis, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures	T ⁶
		Country Code ³ -Number ⁴ -Kind code ⁵ (if known)				

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
		Weaver, T.E., and Conkright, J.J. 2001. Functions of surfactant proteins B and C. Ann. Rev. Physiol. 63:555-578.	
		Morrow, M.R., Taneva, S., Simatos, G.A., Allwood, L.A., and Keough, K.M. 1993. 2H NMR studies of the effect of pulmonary surfactant SP-C on the 1,2-dipalmitoyl-snglycerol-3-phosphocholine headgroup: a model for transbilayer peptides in surfactant and biological membranes. Biochemistry 32:11338-11344.	
		Horowitz, A.D., Elledge, B., Whitsett, J.A., and Baatz, J.E. 1992. Effects of lung surfactant proteolipid SP-C on the organization of model membrane lipids: a fluorescence study. Biochim. Biophys. Acta 1107:44-54.	
		Johansson, J., Szyperski, T., and Wuthrich, K. 1995. Pulmonary surfactant-associated polypeptide SP-C in lipid micelles: CD studies of intact SP-C and NMR secondary structure determination of depalmitoyl-SP-C(1-17). FEBS Lett. 362:261-265.	
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		Thomas, A.Q., Lane, K., Phillips, J. III, Prince, M., Markin, C., Speer, M., Schwartz, D.A., Gaddipati, R., Marney, A., Johnson, J., et al. 2002. Heterozygosity for a surfactant protein C gene mutation associated with usual interstitial pneumonitis and cellular nonspecific interstitial pneumonitis in one kindred. Am. J. Respir. Crit. Care Med. 165:1322-1328.	
		Glasser, S.W., Burhans, M.S., Korfhagen, T.R., Na, C-L., Sly, P.D., Ross, G.F., Ikegami, M., and Whitsett, J.A. 2001. Altered stability of pulmonary surfactant in SP-C-deficient mice. Proc. Natl. Acad. Sci. USA 98:6366-6371.	

EXAMINER SIGNATURE _____

DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



Substitute for Form PTO 1449					
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application No.		10/731,465
			Filing Date		December 9, 2004
			First Named Inventor		Jeffrey A. Whitsett, et al.
			Art Unit		1632
Examiner Name		Unknown			
Sheet	2	of	4	Attorney Docket No.	10872/0507287

		Ikegami, M., Weaver, T.E., Conkright, J.J., Sly, P.D., Ross, G.F., Whitsett, J.A., and Glasser, S.W. 2002. Deficiency of SP-B reveals protective role of SP-C during oxygen injury. J. Appl. Physiol. 92:519-526.	
		Wert, S.E., Dey, C.R., Blair, P.A., Kimura, S., and Whitsett, J.A. 2002. Increased expression of thyroid transcription factor-1 (TTF-1) in respiratory epithelial cells inhibits alveolarization and causes pulmonary inflammation. Dev. Biol. 242:75-87.	
		Conkright, J.J., Na, C.-L., and Weaver, T.E. 2002. Overexpression of SP-C mature SP-C peptide causes neonatal lethality in transgenic mice. Am. J. Respir. Cell Mol. Biol. 26:85- 90.	
		Amin, R.S., Wert, S.E., Baughman, R.P., Tomashefski, J.F., Nogee, L.M., Brody, A.S., Hull, W.M., and Whitsett, J.A. 2001. Surfactant protein deficiency in familial interstitial lung disease. J. Pediatr. 139:85-92.	
		Nogee, L.M., Dunbar, A.E., Wert, S., Askin, F., Hamvas, A., and Whitsett, J.A. 2002. Mutations in the surfactant protein C gene associated with interstitial lung disease. Chest 121:20S-21S.	

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.